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September 27, 2001

Nicholas T. Ebinger, Reports Analyst
Reports Analysis Division
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Identification Number: C00228379

Reference: Year End Report 1999 and Your Letter RQ-2 of September 12, 2001

Dear Mr. Ebinger:

I am writing in response to the referenced letter so that we can correct an administrative oversight regarding a possible overcontribution to a federal campaign committee. I appreciate our phone conversation of earlier this week and look forward to working with you to resolve this situation.

These are the items I think we need to address together:

1. Inasmuch as we have 15 days to respond, we received your letter on September 17th. I presume we have until October 2nd to make an initial response and you should receive this letter well within that time frame.
2. The attachments to your letter indicate that we made these contributions to the *DeWine for U.S. Senate* committee:
 - 10/23/95 - \$1,000 (Primary)
 - 1/9/97 - \$5,000 (Primary)
 - 10/19/99 - \$1,500 (Primary)
3. This would indicate a possible \$2,500 overcontribution during the January 1995 to December 2000 election cycle.
4. On January 27, 1998 we submitted an amended report reallocating contributions as follows:
 - 1/9/97 - \$4,000 (Primary)
 - 1/9/97 - \$1,000 (General)
5. Thus, if it turns out there is an overcontribution it would be \$1,500 not a \$2,500 overcontribution.

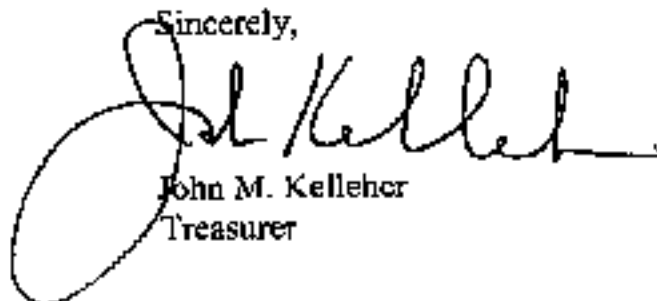
6. This amended report was submitted to Mr. Donald A. Averett, Senior Reports Analyst on January 27, 1998 and again to Mr. John D. Gibson, Assistant Staff Director of your division on February 12, 1998.
7. However, if you look at our reports the \$1,000 contribution of 10/23/95 was to the *Mike DeWine for U.S. Senate* committee, one which was disbanded. This contribution was used to pay off the debts of the former committee and is attributed to the previous election cycle ending December 1994 and not the one beginning January 1995.
8. All other contributions since then have been made to the new committee, *DeWine for U.S. Senate*. To correct our administrative oversight we will amend our report to reflect that the \$1,500 contribution of 10/19/99 was for the general, not the primary, election and we will then be within the limits allowed for both elections for the election cycle 1995 through 2000.
9. We need to know if the Commission disagrees with our corrective action under 7. And 8. preceding. The Commission did not take issue with the DeWine committee reporting in this manner.

We shall forward the amended report to you as soon as completed.

We appreciate your help in resolving this situation.

Thank you.

Sincerely,




John M. Kelleher
Treasurer

Federal Election Commission

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